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FEDERAL ELECTION
COMMISSION**

2010 AUG 31 AM 11:28

**OFFICE OF GENERAL
COUNSEL**

August 26, 2010

**Federal Election Commission
999 E Street, NW
Washington, DC 20463**

Re: MUR 6296

**RESPONSE BY RESPONDENTS BUCK FOR COLORADO, KENNETH R.
BUCK, AND PERRY L. BUCK TO ADDITIONAL INFORMATION
PROVIDED BY COMPLAINANT**

Kenneth Buck is the Weld County District Attorney and the Republican nominee for United States Senate in Colorado. Buck for Colorado is Mr. Buck's principal campaign committee and Perry Buck is Mr. Buck's wife. Kenneth Salazar serves as Treasurer of Buck for Colorado. On or about June 1, 2010, each of these Respondents received a letter from Jeff Jordan notifying them that they had been named in a complaint filed with the Federal Election Commission. Our office filed a response to the complaint on July 15, 2010 requesting that the matter be dismissed.

On August 10, 2010 we received a letter from Jeff Jordan indicating that the Commission received additional information from the Complainant. We have reviewed the additional information and reiterate our position that there appears to be no substantiation whatsoever to the complaint. We therefore again request that the Commission dismiss this matter.

The supplement to the complaint, much like the original, contains a number of wild allegations that lack any factual support. The genesis of the allegations against Respondents appears to be the entirely unremarkable fact that individuals who met Ken Buck decided to make independent expenditures supporting him. This is lawful behavior, protected by the First Amendment of the Constitution. One does not forfeit his or her right to free speech merely because they have previously met the candidate that they support. Such a conclusion is facially absurd.

The supplemental information submitted by Complainant includes a partial transcript of a deposition of Thomas K. Bjorklin. The deposition, to the extent that it has any relevance at all, serves to disprove Complainant's allegations. First, the deposition arose out of a completely different matter apparently pending in state court. Furthermore, while Complainant appears to believe that there exists a grand conspiracy involving Jonathan Hotelling and the Buck campaign, this notion is belied by the following excerpt from the transcript:

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Q: Did Mr. Hotaling indicate that there were other persons who were interested in the filing of a complaint against Ms. Norton?

A: No, he sure didn't.

Q: Did Mr. Hotaling reference Ken Buck?

A: No.

Q: Did Mr. Hotaling reference at any time Walt Klein?

A: At any time?

Q: Yes.

A: I don't think he referenced -- I don't think he referenced Walt Klein.

Q: Who referenced Walt Klein?

A: I remember I brought up Walt's name.

Q: In what content?

A: In the context of having submitted a bid or talking to Walt at one point or another regarding -- it was two years ago.

Q: So not related to this?

A: Not related, no.¹

Given the obviously frivolous nature of this complaint, Respondents once again respectfully request that the Commission end this abuse of the complaint process and waste of the Commission's and Respondent's resources by dismissing this matter.

¹ Exhibit B, page 12, line 19.